

goal of the book to provide a clear explanation of the “hard cases” and to improve the communication between regulators and engineers (201).

Regulating Code leaves one wondering about a larger discussion surrounding how to assess goals and outcomes when governing technology. For Brown and Marsden, each hard case is assessed based on criteria aimed at public policy or government regulation rather than on how the technological system works. The authors take for granted that a discussion about the utility of public policy is a valid substitute for an assessment of the Internet technology, and that the criteria for assessing the outcome is transparency, enforcement, interoperability, and efficiency. This need not be the case. For example, in the analysis of censorship, the authors acknowledge that the outcome assessment of the Internet was initially centered on an ability to survive a thermonuclear war (93). Obviously, that criterion for success is not currently being used, but the example does beg the question: what does “working” mean in these instances?

Brown and Marsden’s nuanced and balanced analysis of recent hard cases of Internet technologies should provide guidance on how to assess more recent examples in privacy (e.g., big data and law enforcement requests), copyright (e.g., Megaupload), censorship (Bitcoin), social networking services (SilkRoad), and Net Neutrality. For someone interested in public policy and regulation of Internet technologies, *Regulating Code* provides a thorough approach to assessing governance from the point of view of the public good.

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***On Global Justice*, by Mathias Risse. Princeton, N.J.: Princeton University Press, 2012. ISBN: 978-0691142692**

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Mathias Risse’s work is what it promises to be: an engaging reflection on global justice and its centuries old history of thought. It culminates in a conception of global justice—Risse calls it pluralist internationalism—which is both thoughtful and, at least in its basic tenets, plausible. Risse’s book is no easy read. His reflections are dense and often complicated. The difficult structure and sub-structure of his argument does not excuse one’s mind to wander; thus, prepare for frequent rereading. In short, the book requires a considerable amount of focus, time and commitment of its readers, but it is worth the investment.

The aim of Risse's "realistic utopia" (233) is to overcome the antagonism between those who hold that justice applies only to the domestic context of the state and those who hold that the view on the state as the proper locus of justice is antiquated. Risse believes that the two views can be reconciled: defending "a special place" for the state, in Risse's view, does not exclude a perspective on global justice. Reconciling a domestic with a global perspective on justice is, by any means, not a novel undertaking within the global justice debate; rather, what is notable about Risse's approach is its proposed pluralism regarding grounds of justice (hence, the name of his theory). Risse's pluralist internationalism is characterized by three essential insights: first, shared membership in the state provides the grounds for strong egalitarian principles of justice with a domestic scope; second, the conditions which establish the normative peculiarity of the state apply, to a lesser extent, globally, giving rise to weaker principles of justice with a global scope; third, such relational grounds for global principles can be complemented with non-relational grounds, which similarly lead to principles of justice of global scope. Risse elaborates on two such grounds in depth: our common humanity and, more instructively, our collective ownership of the earth.

The first three parts of the book explore the various grounds of justice and, based on it, develop a contingent theory of human rights. Part one deals with shared membership in the state as a ground of justice. This leads to demanding egalitarian principles along the lines of Rawls's *Theory of Justice*. Additionally, it delves into non-relational grounds of justice, which eventually lead to weaker global principles. For that purpose it rebuts both ideal-typical accounts of statism and of globalism and explores what follows from our common humanity for the development of principles of global justice. Risse then outlines a conception of human rights based on such grounds.

Part two engages further with non-relational grounds of justice. Specifically, it develops what can be seen as the center pillar of the book, which is its account of common ownership of the earth. The "pivotal result" of this part of the book is the principle of justice that is associated with such common ownership: "The distribution of original resources and spaces of the earth among the global population is just only if everyone has the opportunity to use them to satisfy her or his basic needs, or otherwise lives under a property arrangement that provides the opportunity to satisfy basic needs" (124). Derivative of this principle, Risse proposes a second conception of human rights in chapter 7. The two theories of human rights, based on our common humanity and on common ownership of the earth respectively, are integrated in chapter 11, resulting in a contingent conception of human rights as membership rights in the global order. Part two concludes with an exploration of common ownership in regard to three distinct domains: duties of states toward immigrants (chapter 8), duties to future generations (chapter 9) and duties resulting from climate change (chapter 10).

Part three of the book deals with international structures as a third set of grounds for global justice; specifically, it explores our shared membership in the global order and our shared subjection to the global trading system. The specific conception of human rights which is developed and finalized in this part of the book (chapter 11)

is then reflected specifically as it relates to essential pharmaceuticals (chapter 12) and to labor rights (chapter 13).

Part four of the book explores the justification and desirability of the state system as an essential condition for the plausibility of Risse's conception of pluralist internationalism. Furthermore, it assesses obligations deriving from pluralist internationalism for states and for global institutions, specifically the WTO.

Risse's book does not explicitly connect to the core debates in business ethics and corporate responsibility, if only for the fact that the role of business and corporations are not directly addressed. However, due to its breadth, it offers valuable context and ample connecting points from which to reflect on our field. The chapters on pharmaceuticals, on labor rights, and particularly the two chapters on the justice of international trade (chapter 14) and on the obligations of the World Trade Organization (chapter 18) frequently cross over into our domain of expertise and contain valuable practical implications for anyone interested in the workings and governance of the global economic system.

By far the most original, engaging and indeed the most convincing part of the book is Risse's revitalization of Grotius's ideas on common ownership of the earth. Grotius influences Risse's arguments to a greater extent than even Rawls does (91) and it is from this part of Risse's analysis that the reader gains insights which are not readily available in other works on global justice. However, as illuminating as his elaborations on common ownership are, Risse's theory of human rights that derives from it does not fully convince the reader. Risse conceptualizes human rights as membership rights in the global order. By membership rights he means rights vis-à-vis that global order, which inevitably influences the life prospects of all human beings. Thus, from the point of view of common ownership, human rights are those rights that protect the status of human beings as co-owners and thus their ability to meet basic needs within that global order. His theory of human rights is thus contingent, because it depends on the existence and actual form of the global order. One may ask whether it is really human rights that are at stake here or not rather global citizenship rights or something similar. Risse depicts them as human rights because, as he states with Quincy Wright, "human rights are rights which are alike for all human beings" (141). From the point of view of such a rather superficial definition of human rights, which refers merely to the "scope of application" rather than to the "source of validity," such rights may indeed qualify; if we presuppose a somewhat more substantive definition, however, such a theory may not take us very far.

Not surprisingly, the set of human rights derived from common ownership is exceedingly thin. There is no claim for an adequate standard of health, no claim for basic education beyond what is economically useful, and no claim for decent treatment in the workplace. Not even the permissibility of slavery can be ruled out entirely by this approach (143–44). In order to fill the evident gaps that this conception of human rights leaves, Risse extends his conception to include human rights rooted in our common humanity. He can do so based on the expressed pluralism of his theory and, I believe, he *must* do so in order to render his theory morally acceptable. However, by turning common humanity and common ownership as a source for human rights contingent on the global order, he seems at least implicitly to send

non-relationalism on its way out the back door of his approach. We may not notice it in practice because a global order is already in place and it affects us all. Thus, losing such membership rights is a rather theoretical scenario; but Conceptually, Risse's contingent theory of human rights seems to undermine the very pluralism it is built upon.

Risse's pluralist conception may have intuitive appeal because it offers a little something for everyone—statists, globalists, internationalists, relationalists and non-relationalists alike will find their views taken seriously. It also accommodates the reality in which we live today; it is a reality which is dominated by the experience of living in a state and of being globally interconnected. Both aspects are relevant for our social lives and personal identities and therefore have some normative implications for our responsibilities to fellow human beings. However, the mere fact of living in a state system does not, of course, provide sufficient justification for why such a system should be in place to begin with. Thus, the plausibility of Risse's *internationalism* hinges on whether or not we accept his justification of state boundaries. Risse addresses this question in chapters 15 and 16. His conclusion is that the state system is justified not only pragmatically, but also morally, although only in a "moderate sense." What he means by that, in a nutshell, is that the state system should not be abolished now nor should we aspire to do so, because we lack a better alternative despite "nagging doubts" about its general desirability. This is a sensible position to take, but it also raises questions: is it sufficient for the state system to be morally justified merely in a "moderate sense" in order to give rise to something so fundamental as special obligations of justice to compatriots? Or can the justification for the separation between strong domestic and weak global principles of justice itself be rooted in anything less than considerations of justice? I am not sure about the answers to these questions, but doubts remain.

What is ingenious about Risse's book is that it is both general enough to provide a solid overview and introduction for those little familiar with the global justice debate and sufficiently specific that those who know the debate well will find the position he outlines interesting and engaging. What is missing, perhaps, is passion, a spark, the magic of following him somewhere we have not been before. Risse's position is interesting, but it is not exciting. It is well grounded and well embedded in the debate, but it rarely transcends it. It shines a light on every corner of the global justice debate and be sure that every time you think you caught a gap in his theory, he will address it a couple of pages later. Thus, Risse's theory is highly sophisticated and painstakingly rich on detail, but it somehow lacks a grand vision. By all means, it is a book that ought to be on the shelf of anyone concerned with questions of global justice, but for my part, it will not be among those truly inspiring books I keep revisiting because I cannot get enough of them.